

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 009-12 219 GRAY AVENUE MODIFICATIONS MARCH 21, 2012

APPLICATION OF HAROLD POWELL, AGENT FOR CHARLENE BROUDY, 219 GRAY AVENUE, APN 033-053-024, HRC-2, OC, AND SD-3 ZONES, GENERAL PLAN DESIGNATION: OCEAN RELATED COMMERCIAL/MEDIUM HIGH RESIDENTIAL (15-27 UNITS/ACRE) (MST2011-00394)

The proposed project involves a change of use of an existing 3,516 square foot commercial building to single-family residential on the 4,500 square foot parcel. The proposal includes permitting an as-built 320 square foot carport, a new 6-foot tall wood fence and gate, and minor exterior alterations.

The discretionary applications required for this project are <u>Modifications</u> to allow required private outdoor living space, common open area, and storage of trash and recycling receptacles in the front yard (SBMC §28.21.081, §28.87.190 & §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (New Construction or Conversion of Small Structures).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and two people appeared to speak in opposition of the application thereto, and the following exhibits were presented for the record:

- 1. Staff Report with Attachments, March 14, 2012.
- 2. Site Plans.
- 3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the modifications making the following findings and determinations that the Modifications to allow the outdoor living space and trash and recycling in the front yard are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The project is appropriate because it allows for the adaptive reuse of the existing single-story building and no other location on the site is available for required outdoor space. Because the OC Zone has no setback requirements and the existing walls provide adequate screening, relocation of trash and recycling in the front yard behind the front wall is appropriate.
- II. Said approval is subject to the following conditions:

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- A. Trash and recycling storage shall be relocated to within the wall on Gray Avenue and the "as-built" trash and recycling storage area shall be removed and landscaped subject to review and approval by the Single Family Design Board;
- B. Gates on the front wall shall not swing outward toward the public right-of-way; and
- C. Applicant shall provide a minimum 16 foot by 20 foot clear area for parking within the carport consistent with the City's Parking Design Standards.

This motion was passed and adopted on the 21st day of March 2012, by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Kathleen Goo, Staff Hearing Officer Secretary

Date

3/23/12

PLEASE BE ADVISED:

- 1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
- 2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
- 3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
- 4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
- 5. PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit. The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
- 6. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.